

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-344-T - ORDER NO. 2004-165
APRIL 1, 2004

IN RE: Rule to Show Cause against certain Motor)	ORDER REVOKING
Carriers holding Certificates of Public)	CERTIFICATES
Convenience and Necessity concerning)	
Failure to Comply with the Rules and)	
Regulations of this Commission Regarding)	
filing of Evidence of Insurance.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of Commission Order No. 2004-3 in the instant Docket, which required all motor carriers listed in the Appendix thereof to appear before the Commission on Wednesday, March 24, 2004, at 2:30 p.m. to show cause why the Commission should not revoke and cancel their Certificates for violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law of South Carolina in respect of failure to file evidence of insurance.

The information upon which the Commission based Order No. 2004-3 was developed by the Transportation Department through a procedure involving periodic inspections of the Commission's files and records. From this data, the Commission Staff developed a list of motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law (Appendix of Order No. 2004-3). The

Commission issued Order No. 2004-3 setting a Rule to Show Cause hearing for those motor carriers who had not responded to the prior notifications of noncompliance.

The Transportation Department staff notified all of the carriers listed in the Appendix of Order No. 2004-3 that because of their failure to file evidence of liability and/or cargo insurance, they were not in compliance “with the terms of the Motor Vehicle Carrier Law of South Carolina, and the Rules and Regulations issued thereunder.”

A public hearing regarding this matter was held on Wednesday, March 24, 2004, at 2:30 p.m. Jocelyn Boyd, Staff Counsel, represented the Commission Staff. L. George Parker, Jr., Manager of the Transportation Department of the Commission testified for the Commission Staff.

With respect to all the Respondents listed in the Appendix attached hereto, the Commission is of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by all listed carriers should be revoked and cancelled for their continued willful violation of the Commission’s Rules and Regulations and/or the South Carolina Vehicle Carrier Law [S.C. Code Ann. Section 58-23-10 et. seq. (1976)].

The Commission also finds that the Rule to Show Cause should be dismissed as to the carriers who have complied with the Commission’s Rules and Regulations and/or the Motor Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.
3. That this Rule be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.
4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn, Chairman

ATTEST:



Bruce F. Duke, Executive Director

(SEAL)

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Rule To Show Cause – Insurance Appendix
April 1, 2004

Allstates Moving Services, Inc.
42 Sugaree Drive
Bluffton SC 29925

Chance Inc. of Charleston
DBA Chance Limo
2026 Meeting Street Ext.
Charleston SC 29405

Troy R. Wilson
DBA Classic Cab
1207 Hwy 15 E.
Myrtle Beach SC 29577

Traffic Solutions Inc.
DBA East Cooper Taxi
1258-A Remount Road
N. Charleston SC 29406

Janie Y. Johnson
DBA Johnson Airport Limo/Taxi
5943 Scott White Road
Hollywood SC 29449

Melvin Nettles
602 Royal St.
Florence SC 29506

Edward Thompson & Antron Gadsden
DBA Palmetto Transportation
3916 Maryanne Point Road
Johns Island SC 29455

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Frank Sawyer Jr
DBA Pee Dee Taxi
127 Exchange St.
P O Box 896
Darlington SC 29532

Robert A. Pikaart
736 8th Ave. N.
Myrtle Beach SC 29577

Richard Clyburn & Doretha Tate
DBA R & D Bus Service
110 Black Walnut Drive
Summerville SC 29483

Angela Renee Riverbank
P O Box 1313
N. Myrtle Beach SC 29598

Kenneth Hudson
DBA Sumter Cab
13 Reese St.
Sumter SC 29150